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SEP 12 2003

U.S. PATENT AND TRADEMARK OFFICE  
60105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: C. Cooke  
HAGMEYER et al  
Serial No.: 09/937,524 Group: 1725  
Filed: September 25, 2001  
For: CATALYSTS...THEIR USE

600 Third Avenue  
New York, N.Y. 10016  
September 12, 2003

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SUPPLEMENTAL RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Supplemental to the amendment of June 30, 2003, Applicants are submitting herewith the executed declaration to replace the unexecuted declaration filed with the last response. It is believed that the declaration clearly demonstrates that the sintering treatment of the Patent No. 5,990,344 has a detrimental effect on carbon dioxide formation and the space-time yield and demonstrates that the catalysts of the patent are clearly distinct from the catalyst of the above application and that it shows the superiority of claimed catalyst.

"Express Mail" mailing label No. \_\_\_\_\_  
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D. Holcombsay

With respect to paper No. 7 just received, the undersigned does not understand what rejections were not responded to. The Examiner's objection to the porous support was clarified and the rejections to "at least one palladium compound" and "catalyst comprising" were also responded to. The prior art rejection was argued on pages 7 to 12.

The objection to claim 4 was obviated by the cancellation thereof and "may be present" no longer appears in claim 1. The term "optionally" is a proper term, Ex parte Cardova, 10 USPA 2<sup>nd</sup> 1349. The Examiner is requested to clarify her position.

Therefore, it is believed in view of the remarks in the previous amendment and the present declaration that the record clearly shows the superiority of the claimed catalysts and favorable reconsideration of the application is requested.

Respectfully submitted,  
Muserlian, Lucas and Mercanti

  
Charles A. Muserlian, 19,683  
Attorney for Applicants  
Tel. # (212) 661-8000

CAM:ds  
Enclosures